



Energy West Mining Company  
P. O. Box 310  
15 No Main Street  
Huntington, UT 84528

November 3, 2009

RECEIVED

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DIV. OF OIL, GAS & MINING

Dana Dean  
Associate Director - Mining  
Division of Oil, Gas & Mining  
1594 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801

Subject: Permit Renewal Notice – Trail Mountain Mine C/015/0009

Ms. Dana Dean,

As required by the Utah Coal Regulations (R645-303-232.100), an application for renewal of a permit must be filed with the Division at least 120 days before expiration of the existing permit term. The Trail Mountain permit will expire on February 21, 2010. The application for permit renewal should have been submitted on or before October 23, 2009. This date has passed, and Energy West is currently working toward submitting this notice as soon as possible.

On October 1, 2009, the Division completed the Trail Mountain Mid-Term Review. As this was a two-year approval process, Energy West inadvertently overlooked the mine permit renewal submission that followed so closely afterward. When we checked our records, we found that the notification for permit renewal had not been submitted in a timely manner. We regret this omission and will correct the situation as quickly as possible (within 1 week).

If you have any questions or concerns regarding this issue, please contact me at (435) 687-4712 or Dennis Oakley at (435) 687-4825.

Sincerely,

Kenneth Fleck  
Geology and Environmental Affairs Manager  
Energy West Mining Company  
P.O. Box 310  
Huntington, Utah 84528  
435-687-4712

Cc: Jim Smith, DOGM  
Dennis Oakley, Energy West  
Scott Child, Interwest